

UNITED STATES OF AMERICA

IN THE WESTERN DISTRICT OF MICHIGAN – SOUTHERN DIVISION

Derek Antol, individually and as next friend of
DSAIL, a minor, and Derek S. Antol, Jr., and
Tryston Antol,
Plaintiffs,

File No: 1:17-cv-613

v.

Adam Dent, Kate Straus,
Casey Bringedahl, Casey Trucks,
Pete Kutches, and Western Michigan
Enforcement Team, a public
body organized under the laws of the
State of Michigan,
Defendants,

Hon. Janet T. Neff
U.S. District Court Judge

**PLAINTIFFS' OPPOSITION TO MOTION FOR SUMMARY JUDGMENT BY
DEFENDANT TRUCKS**

Attachment 1 – DSA II affidavit

STATE OF MICHIGAN)
) ss:
COUNTY OF MUSKEGON)

AFFIDAVIT

DSAIL, being duly sworn, states:

1. Affiant is a minor and competent to testify to the assertions in the affidavit on personal knowledge unless otherwise noted.

2. I have reviewed the affidavit of Defendant Casey Trucks attached to his motion for summary judgment and specifically the paragraph where he states that he did not open any drawers or cabinets that were not large enough to hold a person.

3. Attachment A to this affidavit is a photograph showing the entry door to the bathroom and showing the door that enters into my bedroom where I was held at gunpoint.

4. Attachment B to this affidavit is a photograph of two storage cabinets above the shower in the bathroom identified as #1 and #2 which are opened by sliding a door to the left or right.

5. A person cannot fit into #1 or #2 but on July 9, 2014, I could hear Defendant Trucks sliding the doors to the cabinets.

6. As of July 2014, I had lived in this house for 3 months at the time and still live there so I have opened and closed those doors numerous times as well as hear other people open them and I am familiar with the sound.

7. Attachment C to this affidavit is a photograph showing cabinets #3 through #7 which are opened by opening a solid door hinged on the right or left.

8. A person cannot fit into any of the cabinets numbered 3 through 7 but on July 9, 2014 I could hear Defendant Trucks opening and closing these doors.

9. I have opened and closed those cabinets numerous times as well as hear other people open them and I am familiar with the sound of the hinges as well as the sound of the cabinet doors closing against the wood frame.

10. Number 8 represents the medicine cabinet which is approximately 3.5 inches deep and a person cannot fit into #8 but on July 9, 2014 I could hear Defendant Trucks opening and closing these doors.

11. I have opened and closed the doors to the medicine cabinet numerous times as well as hear other people open them and I am familiar with the sound of the hinges as well as the sound of the medicine cabinet doors closing against the magnets with a click.

12. Number 9 represents a [cabinet/closet] directly opposite the medicine cabinet which is approximately 8 inches deep and a person cannot fit into #9 but on July 9, 2014 I could hear Defendant Trucks open this door.

13. I have opened and closed the door to this closet (#9) numerous times as well as hear other people open them and I am familiar with the sound of the hinges as well as the sound of the door

closing against the wood frame.

14. I agree with Paragraph 4 of Defendant Trucks' affidavit which states that he and two WEMET officers entered the premises.

15. As I was looking at the two WEMET officers in my doorway, I observed Defendant Trucks in uniform walk behind them and entered into the bathroom.

16. I then heard the sounds as described above.

Further your affiant sayeth not.

DSAll

DSAll _____

On the 9 day of November, 2018, DSAll appeared personally before me and swore to the facts contained in the above affidavit.

Notary Public
Cody A. Schaner
State of Michigan
My Commission Expires December 27, 2023

Cody A. Schaner
_____, Notary Public
Muskegon County, Michigan - Ocean County
My commission expires: Dec. 27 2023



ATTACHMENT A



ATTACHMENT B



ATTACHMENT C

